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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR-07-00597 JF  
11 )  
Plaintiff, ) STIPULATION AND [~~PROPOSED~~]  
12 ) ORDER CONTINUING HEARING  
vs. )  
13 )  
JOHN MICHAEL NAGY, )  
14 )  
Defendant. )  
15 \_\_\_\_\_)

16 **STIPULATION**

17 The parties hereby stipulate that the status hearing currently set for Thursday, July 22,  
18 2010 at 9:00 a.m. may be continued to Thursday, August 5, 2010 at 9:00 a.m. The parties  
19 anticipate entering into a written plea agreement at that time, having completed the necessary  
20 review of digital discovery and initiated the approval process for the proposed plea agreement.

21 The parties further stipulate that 14 days may be excluded from the time within which  
22 trial shall commence, as the reasonable time necessary for continuity and effective preparation of  
23 counsel, taking into account the exercise of due diligence, pursuant to Title 18, United States  
24 Code Section 3161(h)(7)(A) and (h)(7)(B)(iv).

1 Dated: July 15, 2010

2 s/\_\_\_\_\_  
3 CYNTHIA C. LIE  
4 Assistant Federal Public Defender

5 Dated: July 15, 2010

6 s/\_\_\_\_\_  
7 JOSEPH FAZIOLI  
8 Assistant United States Attorney

9 **[PROPOSED] ORDER**

10 Good cause appearing and by stipulation of the parties, it is hereby ordered that the status  
11 hearing of Thursday, July 22, 2010 shall be continued to Thursday, August 5, 2010 at 9:00 a.m.

12 The Court further finds, based on the aforementioned reasons, that the ends of justice  
13 served by granting the requested continuance outweigh the interest of the public and the  
14 defendant in a speedy trial, in that the failure to grant the requested continuance would deny  
15 counsel the reasonable time necessary for effective preparation, taking into account the exercise  
16 of due diligence, and would result in a miscarriage of justice. The Court therefore concludes that  
17 14 days should be excluded from the time within which trial shall commence under 18 U.S.C. §§  
18 3161(h)(7)(A) and (B)(iv).

19 It is so ordered.

20 Dated: July 21, 2010

21   
22 JEREMY FOGEL  
23 United States District Judge  
24  
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